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10/656,687	09/05/2003	James Alfred Thompson	17065/004001	8553

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EXAMINER

MENDOZA, JUNIOR O

ART UNIT	PAPER NUMBER
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2423

NOTIFICATION DATE	DELIVERY MODE
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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/656,687	Applicant(s) THOMPSON, JAMES ALFRED	
	Examiner JUNIOR O. MENDOZA	Art Unit 2423	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-15,18,19,21-27 and 30-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-15, 18, 19, 21-27 and 30-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 10/15/2009 have been fully considered but they are not persuasive. Regarding **claims 1, 19 and 30**, applicant argues that there are secondary considerations, namely long felt needs and failure of others which render the pending claims non-obvious.

2. The declarations under 37 CFR 1.132 filed 10/15/2009 are insufficient to overcome the rejection of claims 1, 19 and 30 based upon Wheeler, Christatos, Vitale and Kamiya as set forth in the last Office action because:

It states that the claimed subject matter solved a problem that was long standing in the art. However, there is no showing that others of ordinary skill in the art were working on the problem and if so, for how long. In addition, there is no evidence that if persons skilled in the art who were presumably working on the problem knew of the teachings of the above cited references, they would still be unable to solve the problem. See MPEP § 716.04.

Moreover, there is lack of evidence which shows that one of ordinary skill in the art has produce unsuccessful attempts to apply an electronic locking mechanism, such as the one disclosed in Wheeler, to be applied to a cable box locking device, such as the one shown in Christatos. *Orthopedic Equipment Co., Inc. v. All Orthopedic Appliances, Inc.*, 707 F.2d 1376, 217 USPQ 1281 (Fed. Cir. 1983) (Although the

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claimed invention achieved the desirable result of reducing inventories, there was no evidence of any prior unsuccessful attempts to do so).

Furthermore, the problem of securing a physical space (see Wheeler - paragraphs [0068] [0093], physical space 222) by allowing remote authentication in order to access the secured physical area has been already solved. Since it is an analogous problem which is relevant to different applications; in other words, avoiding unauthorized access to a secured physical space, see Wheeler and Chirstatos. Therefore, Wheeler supplies the key elements in order to protect and require authentication in order to access a secured physical space 222. The long-felt need must not have been satisfied by another before the invention by applicant. *Newell Companies v. Kenney Mfg. Co.*, 864 F.2d 757, 768, 9 USPQ2d 1417, 1426 (Fed. Cir. 1988) (Although at one time there was a long-felt need for a “do- it-yourself” window shade material which was adjustable without the use of tools, a prior art product fulfilled the need by using a scored plastic material which could be torn. “[O]nce another supplied the key element, there was no long-felt need or, indeed, a problem to be solved”).)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 3 – 7, 9, 10, 12, 13, 15, 18, 30, 33 and 35 – 39** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler et al. (Pub No US 2004/0128508) in view of Christatos (Patent No US 4,502,609) further in view of Vitale et al. (Patent No US 7,111,318) further in view of Kamiya (Patent No US 6,785,908). Hereinafter, referenced as Wheeler, Christatos, Vitale and Kamiya, respectively.

Regarding **claim 1**, Wheeler discloses an authentication device configured to obtain authentication information from an authentication medium (Paragraph [0022]; also exhibited on figure 10);

an electronic access control system configured to be operatively connected to an access administration system over at least a portion of a network infrastructure (Paragraphs [0059] [0095]; fig 10, the requesting entity 12 sends an access request via a communication medium, such as the internet, intranet or a physical wiring),

wherein the electronic access control system is configured to grant access to the restricted area upon receiving verification of the authentication information (Paragraphs [0022] [0095], figure 10),

and a lock operatively connected to the electronic access control system, wherein the lock is configured to receive a signal from the electronic access control system to electronically unlock the restricted area when access to the cable distribution box is granted (Paragraphs [0022] [0095] also exhibited on fig 10).

However, it is noted that Wheeler fails to explicitly disclose that the restricted area is a cable distribution box with a locking device.

Nevertheless, in a similar field of endeavor Christatos discloses that the restricted area is a cable distribution box with a locking mechanism (Col. 3 lines 14-17, col. 4 lines 48-61 also exhibited on figures 1 and 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler by specifically providing the elements mentioned above, as taught by Christatos, for the purpose applying a known technique to improve the security aspects of a cable distribution box locking mechanism for a predictable result of discouraging the theft of cable services, allowing companies to protect their product more competently by implementing a more efficient and sophisticated security mechanism.

However, it is noted that Wheeler and Christatos fail to explicitly disclose establishing a connection with a remote system over cable network infrastructure.

Nevertheless, in a similar field of endeavor Vitale discloses establishing a connection with a remote system over cable network infrastructure (Col. 5 lines 29-33 and 42-44, col. 22 lines 53-64, figure 1 and 2).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler and Christatos by specifically providing the elements mentioned above, as taught by Vitale, for the purpose implementing a transmission medium that is already available, which avoids the necessity to build and maintain a different infrastructure in order to send data from a remote place to a base station, which saves funds for the company.

However, it is noted that Wheeler, Christatos and Vitale fail to explicitly disclose that network components are configured to be solely powered using current obtained from a coaxial cable line operatively connected to the cable distribution box.

Nevertheless, in a similar field of endeavor Kamiya discloses that network components are configured to be solely powered using current obtained from a coaxial cable line operatively connected to the cable distribution box (Col. 7 lines 57-60, col. 9 lines 44-47 and figures 1 and 2; a plurality of tap devices 6 in a cable network are powered by power supply device 22, where each tap device includes electronic components which are powered by said power source, e.g. control circuit 54, drive circuit 56, switches, etc).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler, Christatos and Vitale by specifically providing the elements mentioned above, as taught by Kamiya, for the purpose of eliminating the need to include two or more different set of cables, for data transmission and for providing power, which is economically suitable for content providers.

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Regarding **claim 3**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 1; moreover, Wheeler discloses a communication device operatively connected to the electronic access control system and configured to provide communication services between the electronic access control system and the access administration system (Paragraph [0059] fig 10).

Regarding **claim 4**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 3; moreover, Wheeler discloses that the communication device is at least one selected from the group consisting of a communication adapter and a cable modem (Paragraph [0059] also exhibited on fig 10; communication medium is the internet, where the internet implements modems for communication).

Regarding **claim 5**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 1; moreover, Wheeler discloses that the access administration system comprises at least one selected from the group consisting of access administration hardware, access administration software, and firmware (Access authentication component [16], paragraph [0095] also exhibited on fig 10).

Regarding **claim 6**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 1; moreover, Wheeler discloses that the electronic access control system comprises at least one selected from the group consisting of access control software, access control hardware, and firmware (Requesting entity [12] gains access through card reader [224], paragraph [0095] also exhibited on fig 10).

Regarding **claim 7**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 1; moreover, Wheeler discloses that the authentication device is a card reader and the authentication medium is an access card (Requesting entity [12] gains access through card reader [224] by presenting card [22], paragraph [0095] also exhibited on figure 10).

Regarding **claim 9**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 1; moreover, Wheeler discloses that the access administration system is configured to collect the authentication information (Paragraphs [0088] [0094] [0095] also exhibited on figure 10).

Regarding **claim 10**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 1; moreover, Wheeler discloses that the access administration system is configured to generate a work log from the authentication information and the work log data (Paragraphs [0088] [0094] [0095] fig 10).

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Regarding **claim 12**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 1; moreover, Wheeler discloses that the access administration system is configured to verify the authentication information using a request-response authentication method (Paragraph [0008]; refer to claim 6 of the reference).

Regarding **claim 13**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 1; moreover, Wheeler discloses that the access administration system is configured to verify the authentication information using a challenge-response authentication method (Paragraph [0086]; the authentication factors of the system [160] requires knowledge of secret confidential information such as a PIN number).

Regarding **claim 15**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 1; moreover, Wheeler discloses that communication between the access administration system and the electronic access control system is encrypted (Transmission of personal information requires encryption, paragraph [0012]).

Regarding **claim 18**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 3; moreover, Wheeler discloses restricted area comprising a communication device (Paragraphs [0077] [0095] also exhibited on figure 10).

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However, it is noted that Wheeler fails to explicitly disclose that the restricted area is a cable distribution box with a locking device.

Nevertheless, in a similar field of endeavor Christatos discloses that the restricted area is a cable distribution box with a locking mechanism (Col. 3 lines 14-17, col. 4 lines 48-61 also exhibited on figures 1 and 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler by specifically providing the elements mentioned above, as taught by Christatos, for the purpose applying a known technique to improve the security aspects of a cable distribution box locking mechanism for a predictable result of discouraging the theft of cable services, allowing companies to protect their product more competently by implementing a more efficient and sophisticated security mechanism.

However, it is noted that Wheeler, Christatos and Vitale fail to explicitly disclose that the components are configured to be solely powered using current obtained from the coaxial cable line operatively connected to the cable distribution box.

Nevertheless, in a similar field of endeavor Kamiya discloses that the components are configured to be solely powered using current obtained from the coaxial cable line operatively connected to the cable distribution box (Col. 7 lines 57-60, col. 9 lines 44-47 and figures 1 and 2; a plurality of tap devices 6 in a cable network are powered by power supply device 22, where each tap device includes electronic components which are powered by said power source, e.g. control circuit 54, drive circuit 56, switches, etc).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler, Christatos and Vitale by specifically providing the elements mentioned above, as taught by Kamiya, for the purpose of eliminating the need to include two or more different set of cables, for data transmission and for providing power, which is economically suitable for content providers.

Regarding **claim 30**, Wheeler discloses a method for accessing a restricted area, comprising: obtaining authentication information from an authentication medium (Paragraph [0022]; fig 10);

sending an access request over at least a portion of a network infrastructure to an access administration system, wherein the access request comprises the authentication information (Paragraphs [0059] [0095]; fig 10, the requesting entity 12 sends an access request via a communication medium, such as the internet, intranet or a physical wiring);

verifying the access request by the access administration system (Paragraphs [0022] [0095] also exhibited on fig 10);

generating a work log associated with the access request (Paragraph [0077] also exhibited on fig 10);

and granting access to the restricted area when the access request is verified, where the granting access to the restricted area comprises electronically unlocking the restricted area (Paragraphs [0022] [0095], also exhibited on fig 10).

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However, it is noted that Wheeler fails to explicitly disclose that the restricted area is a cable distribution box with a locking device.

Nevertheless, in a similar field of endeavor Christatos discloses that the restricted area is a cable distribution box with a locking mechanism (Col. 3 lines 14-17, col. 4 lines 48-61 also exhibited on figures 1 and 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler by specifically providing the elements mentioned above, as taught by Christatos, for the purpose applying a known technique to improve the security aspects of a cable distribution box locking mechanism for a predictable result of discouraging the theft of cable services, allowing companies to protect their product more competently by implementing a more efficient and sophisticated security mechanism.

However, it is noted that Wheeler and Christatos fail to explicitly disclose establishing a connection with a remote system over cable network infrastructure.

Nevertheless, in a similar field of endeavor Vitale discloses establishing a connection with a remote system over cable network infrastructure (Col. 5 lines 29-33 and 42-44, col. 22 lines 53-64, figure 1 and 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler and Christatos by specifically providing the elements mentioned above, as taught by Vitale, for the purpose implementing a transmission medium that is already available, which avoids the necessity to build and

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maintain a different infrastructure in order to send data from a remote place to a base station, which saves funds for the company.

However, it is noted that Wheeler, Christatos and Vitale fail to explicitly disclose using current obtained solely from a coaxial cable line operatively connected to the cable distribution box to power network components; and operating switches using current obtained solely from the coaxial cable line.

Nevertheless, in a similar field of endeavor Kamiya discloses using current obtained solely from a coaxial cable line operatively connected to the cable distribution box to power network components; and operating switches using current obtained solely from the coaxial cable line (Col. 7 lines 57-60, col. 9 lines 44-47 and figures 1 and 2; a plurality of tap devices 6 in a cable network are powered by power supply device 22, where each tap device includes electronic components which are powered by said power source, e.g. control circuit 54, drive circuit 56, switches, etc).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler, Christatos and Vitale by specifically providing the elements mentioned above, as taught by Kamiya, for the purpose of eliminating the need to include two or more different set of cables, for data transmission and for providing power, which is economically suitable for content providers.

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Regarding **claim 33**, Wheeler, Christatos, Vitale and Kamiya disclose the method of claim 30, moreover, Wheeler discloses unlocking the restricted area when access has been granted (Paragraphs [0022] [0095] also exhibited on fig 10).

However, it is noted that Wheeler fails to explicitly disclose that the restricted area is a cable distribution box with a locking device.

Nevertheless, in a similar field of endeavor Christatos discloses that the restricted area is a cable distribution box with a locking mechanism (Col. 3 lines 14-17, col. 4 lines 48-61 also exhibited on figures 1 and 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler by specifically providing the elements mentioned above, as taught by Christatos, for the purpose applying a known technique to improve the security aspects of a cable distribution box locking mechanism for a predictable result of discouraging the theft of cable services, allowing companies to protect their product more competently by implementing a more efficient and sophisticated security mechanism.

Regarding **claim 36**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 1; moreover, Wheeler discloses that the access to the restricted area is granted by an access control system (Paragraph [0095]; fig 10).

However, it is noted that Wheeler fails to explicitly disclose that the restricted area is a cable distribution box with a locking device.

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Nevertheless, in a similar field of endeavor Christatos discloses that the restricted area is a cable distribution box with a locking mechanism (Col. 3 lines 14-17, col. 4 lines 48-61 also exhibited on figures 1 and 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler by specifically providing the elements mentioned above, as taught by Christatos, for the purpose applying a known technique to improve the security aspects of a cable distribution box locking mechanism for a predictable result of discouraging the theft of cable services, allowing companies to protect their product more competently by implementing a more efficient and sophisticated security mechanism.

Regarding **claims 35, 37 and 38**, Wheeler, Christatos, Vitale and Kamiya disclose all the limitations of claims 35, 37 and 38; therefore, claims 35, 37 and 38 are rejected for the same reasons as in claims 5, 6 and 18, respectively.

Regarding **claim 39**, Wheeler discloses an apparatus for accessing a restricted area, comprising: means for obtaining authentication information from an authentication medium (Paragraph [0022]; fig 10);

means for sending an access request over at least a portion of a network infrastructure to an access administration system, wherein the access request comprises the authentication information (Paragraphs [0022] [0095]; fig 10);

means for verifying the access request; means for generating a work log associated with the access request (Paragraphs [0077] [0095]; figure 10).

and means for electronically unlocking the restricted area when the access request is verified (Paragraphs [0077] [0095]; also exhibited on figure 10).

However, it is noted that Wheeler fails to explicitly disclose that the restricted area is a cable distribution box with a locking device.

Nevertheless, in a similar field of endeavor Christatos discloses that the restricted area is a cable distribution box with a locking mechanism (Col. 3 lines 14-17, col. 4 lines 48-61 also exhibited on figures 1 and 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler by specifically providing the elements mentioned above, as taught by Christatos, for the purpose applying a known technique to improve the security aspects of a cable distribution box locking mechanism for a predictable result of discouraging the theft of cable services, allowing companies to protect their product more competently by implementing a more efficient and sophisticated security mechanism.

However, it is noted that Wheeler and Christatos fail to explicitly disclose establishing a connection with a remote system over cable network infrastructure.

Nevertheless, in a similar field of endeavor Vitale discloses establishing a connection with a remote system over cable network infrastructure (Col. 5 lines 29-33 and 42-44, col. 22 lines 53-64, figure 1 and 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler and Christatos by specifically providing the elements mentioned above, as taught by Vitale, for the purpose implementing a transmission medium that is already available, which avoids the necessity to build and maintain a different infrastructure in order to send data from a remote place to a base station, which saves funds for the company.

However, it is noted that Wheeler, Christatos and Vitale fail to explicitly disclose using current obtained solely from a coaxial cable line operatively connected to the cable distribution box to power network components; and operating switches using current obtained solely from the coaxial cable line.

Nevertheless, in a similar field of endeavor Kamiya discloses using current obtained solely from a coaxial cable line operatively connected to the cable distribution box to power network components; and operating switches using current obtained solely from the coaxial cable line (Col. 7 lines 57-60, col. 9 lines 44-47 and figures 1 and 2; a plurality of tap devices 6 in a cable network are powered by power supply device 22, where each tap device includes electronic components which are powered by said power source, e.g. control circuit 54, drive circuit 56, switches, etc).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler, Christatos and Vitale by specifically providing the elements mentioned above, as taught by Kamiya, for the purpose of eliminating the need to include two or more different set of cables, for data transmission and for providing power, which is economically suitable for content providers.

5. **Claims 19, 21 – 23, and 25 – 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler in view of Christatos further in view of Kamiya.

Regarding **claim 19**, Wheeler discloses an authentication device configured to obtain authentication information from an authentication medium (Paragraph [0022]; also exhibited on figure 10);

a memory operatively connected to the authentication device comprising verification information and work log data (Paragraphs [0059] [0095], fig 10);

and an access control system operatively connected to the authentication device and the memory, wherein the electronic access control system is configured to grant access to the restricted area based on the verification information and the authentication information (Paragraphs [0022] [0077] [0095]; figure 10);

a lock operatively connected to the electronic access control system, wherein the lock is configured to receive a signal from the electronic access control system to electronically unlock the restricted area when access to the restricted area is granted (Paragraphs [0022] [0095] also exhibited on fig 10).

However, it is noted that Wheeler fails to explicitly disclose that the restricted area is a cable distribution box with a locking device.

Nevertheless, in a similar field of endeavor Christatos discloses that the restricted area is a cable distribution box with a locking mechanism (Col. 3 lines 14-17, col. 4 lines 48-61 also exhibited on figures 1 and 2).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler by specifically providing the elements mentioned above, as taught by Christatos, for the purpose applying a known technique to improve the security aspects of a cable distribution box locking mechanism for a predictable result of discouraging the theft of cable services, allowing companies to protect their product more competently by implementing a more efficient and sophisticated security mechanism.

However, it is noted that Wheeler, Christatos and Vitale fail to explicitly disclose that network components are configured to be solely powered using current obtained from a coaxial cable line operatively connected to the cable distribution box.

Nevertheless, in a similar field of endeavor Kamiya discloses that network components are configured to be solely powered using current obtained from a coaxial cable line operatively connected to the cable distribution box (Col. 7 lines 57-60, col. 9 lines 44-47 and figures 1 and 2; a plurality of tap devices 6 in a cable network are powered by power supply device 22, where each tap device includes electronic components which are powered by said power source, e.g. control circuit 54, drive circuit 56, switches, etc).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler, Christatos and Vitale by specifically providing the elements mentioned above, as taught by Kamiya, for the purpose of eliminating the need to include two or more different set of cables, for data transmission and for providing power, which is economically suitable for content providers.

Regarding **claims 21, 22, 23, 25, and 26**, Wheeler, Christatos and Kamiya disclose all the limitations of claims 21, 22, 23, 25, and 26; therefore, claims 21, 22, 23, 25, and 26 are rejected for the same reasons as in claims 7, 9, 10, 12 and 13, respectively.

6. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler in view of Christatos further in view of Vitale in view of Kamiya further in view of Harold et al. (Patent No US 6,472,973). Hereinafter referenced as Harold.

Regarding **claim 8**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 7; moreover, Wheeler discloses an access administration system (Paragraph [0095] also exhibited on fig 10).

However, it is noted that Wheeler, Christatos, Vitale and Kamiya fail to explicitly disclose that the access administration system includes functionality to disable the access card.

Nevertheless, in a similar field of endeavor Harold discloses that the access administration system includes functionality to disable the access card (Column 5 lines 24-26).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler, Christatos, Vitale and Kamiya by

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specifically providing the elements mentioned above, as taught by Harold, for the purpose of avoiding access of unwanted people to the cable box, where disabling the card is a fast and efficient way to do so.

7. **Claims 11, 24, 31 and 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler in view of Christatos in view of Vitale in view of Kamiya further in view of Naidoo et al. (Pub No US 2002/0147982). Hereinafter referenced as Naidoo.

Regarding **claim 11**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 10; moreover, Wheeler discloses that the access administration system includes functionality to analyze the access action to determine whether a response is required (Paragraph [0081]).

However, it is noted that Wheeler, Christatos, Vitale and Kamiya fail to explicitly disclose the functionality to send an alert to an appropriate entity if the response is required.

Nevertheless, in a similar field of endeavor Naidoo discloses the functionality to send an alert to an appropriate entity if the response is required (Paragraph [0076]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler, Christatos, Vitale and Kamiya by specifically providing such element, as taught by Naidoo, for the purpose of notifying the

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company and the police about a possible unauthorized access to the cable box, in order to take action as soon as possible increasing the chances to catch the criminal.

Regarding **claim 24**, Wheeler, Christatos, Vitale, Kamiya and Naidoo disclose all the limitations of claim 24; therefore, claim 24 is rejected for the same reasons as in claim 11.

Regarding **claim 31**, Wheeler, Christatos, Vitale and Kamiya discloses the method of claim 30; moreover, Wheeler discloses uploading the work log to the access administration system (Paragraphs [0059] [0077]);

analyzing the work log to determine whether a response is required (Paragraph [0081]).

However, it is noted that Wheeler, Christatos, Vitale and Kamiya fail to explicitly disclose sending an alert to an appropriate entity if the response is required.

Nevertheless, in a similar field of endeavor Naidoo discloses sending an alert to an appropriate entity if the response is required (Paragraph [0076]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler, Christatos, Vitale and Kamiya by specifically providing such element, as taught by Naidoo, for the purpose of notifying the company and the police about a possible unauthorized access to the cable box, in order to take action as soon as possible increasing the chances to catch the criminal.

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Regarding **claim 32**, Wheeler, Christatos, Vitale and Kamiya discloses the method of claim 30; moreover, Wheeler discloses a restricted area (abstract). However, it is noted that Wheeler fails to explicitly disclose that the restricted area is a cable distribution box with a locking device.

Nevertheless, in a similar field of endeavor Christatos discloses that the restricted area is a cable distribution box with a locking mechanism (Col. 3 lines 14-17, col. 4 lines 48-61 also exhibited on figures 1 and 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler by specifically providing the elements mentioned above, as taught by Christatos, for the purpose applying a known technique to improve the security aspects of a cable distribution box locking mechanism for a predictable result of discouraging the theft of cable services, allowing companies to protect their product more competently by implementing a more efficient and sophisticated security mechanism.

However, it is noted that Wheeler, Christatos, Vitale and Kamiya fail to explicitly disclose continuously monitoring the restricted area to determine the status.

Nevertheless, in a similar field of endeavor Naidoo discloses continuously monitoring the cable distribution box to determine the status (Paragraph [0016]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler, Christatos, Vitale and Kamiya by specifically providing such element, as taught by Naidoo, for the purpose of keeping control at all times of who has access to the restricted area.

8. **Claims 14, 27 and 34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wheeler in view of Christatos in view of Vitale in view of Kamiya further in view of Rowe (Pub No US 2004/0050930). Hereinafter referenced as Rowe.

Regarding **claim 14**, Wheeler, Christatos, Vitale and Kamiya disclose the cable distribution box of claim 1; moreover, Wheeler discloses that communication data is encrypted (Paragraphs [0009] [0012]).

However, it is noted that Wheeler, Christatos, Vitale and Kamiya fail to explicitly disclose that communication between the authentication device and the access control system is encrypted.

Nevertheless, in a similar field of endeavor Rowe discloses that communication between the authentication device and the access control system is encrypted (Paragraph [0002] [0031]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wheeler, Christatos, Vitale and Kamiya by specifically providing such element, as taught by Rowe, for the purpose of providing a high level of security which decreases the chances for private data to be stolen.

Regarding **claim 27**, Wheeler, Christatos, Kamiya and Rowe disclose all the limitations of claim 27; therefore, claim 27 is rejected for the same reasons as in claim 14.

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Regarding **claim 34**, Wheeler, Christatos, Vitale, Kamiya and Rowe disclose all the limitations of claim 34; therefore, claim 34 is rejected for the same reasons as in claim 14.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUNIOR O. MENDOZA whose telephone number is (571)270-3573. The examiner can normally be reached on Monday - Friday 9am - 5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571)272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Junior O Mendoza
Examiner
Art Unit 2423

/J. O. M./
February 17, 2010

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423